

No. 273.

AN ACT

To amend section nineteen of an act, approved the eleventh day of May, one thousand nine hundred eleven (Pamphlet Laws, two hundred forty-four), entitled "An act providing for the original location, laying out, and construction of public roads or highways in the several counties of this Commonwealth, and for the permanent improvement of certain public roads or highways therein; making such originally constructed or improved roads and highways county roads; authorizing the relocation, opening, straightening, widening, extension, and alteration of the same, and the vacation of so much of any road as may thereby become unnecessary; providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties, and prescribing penalties for the violation thereof; providing for the taking of property for such improvement, the compensation to be paid therefor, and the payment of damages resulting from such taking, and the manner in which such damages may be determined; providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads; authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof; prescribing a method for improving a county road lying within or traversing a borough, and apportioning the cost of such improvement; and authorizing the vacation of any county road;" further relating to the repair of such roads, and expressing the intent of the act.

County roads.

Section 1. Be it enacted, &c., That section nineteen of an act of Assembly, approved the eleventh day of May, one thousand nine hundred nineteen (Pamphlet Laws, two hundred forty-four), entitled "An act providing for the original location, laying out, and construction of public roads or highways in the several counties of this Commonwealth, and for the permanent improvement of certain public roads or highways therein; making such originally constructed or improved roads and highways county roads; authorizing the relocation, opening, straightening, widening, extension, and alteration of the same, and the vacation of so much of any road as may thereby become unnecessary; providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties, and prescribing penalties for the violation thereof; providing for the taking of property for such improvement, the compensation to be paid therefor, and the payment of damages resulting from such taking, and the manner in which such damages may be determined; providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads; authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof; prescribing a method for improving a county road lying within or traversing a borough, and apportioning the cost of such improvement; and authorizing the vacation of any county road," which reads as follows:—

Section 19, act of May 11, 1911 (P. L. 244), cited for amendment.

"Section 19. All *such roads and highways, and all parts thereof, originally constructed and improved in accordance with the provisions of this act, shall be deemed, taken, and treated as, and become, public highway of the said county, and shall be subject to the control and supervision of the proper county commissioners; and it shall be the duty of said several counties to keep, maintain and repair the same whenever and as often as it shall be found necessary; and all road supervisors, authorities, persons, or townships, heretofore required to maintain and keep in repair such roads or parts thereof, shall thereupon and thereafter cease to have any management of or control over said roads or any part thereof; and such supervisors, authorities and townships are hereby relieved from all duty and responsibility in and about the care, maintenance, and repair of all roads improved under this act and of former acts, and becoming county roads; and all other public roads shall continue under the control of the proper local authorities, and shall be opened, repaired, and maintained under the laws now in force in the respective townships of the several counties of this Commonwealth,*" is hereby amended to read as follows:—

Section 19. All roads, highways, and parts thereof, *heretofore and hereafter decreed by the court, under the provisions of said act of the eleventh day of May, one thousand nine hundred eleven (Pamphlet Laws, two hundred forty-four), and its amendments of the twelfth day of July, one thousand nine hundred nineteen (Pamphlet Laws, nine hundred eighteen), to be a county road, shall thereupon, after said decree or order of the court, be subject to the control and supervision of the proper county commissioners; and it shall be the duty of said several counties to keep, maintain, and repair the same, whenever and as often as it shall be found necessary, until said road shall be permanently constructed and maintained in repair by said commissioners; and all road supervisors, authorities, persons, or townships, heretofore required to maintain and keep in repair such roads or parts thereof, shall thereupon and thereafter cease to have any management of or control over said roads or any part thereof; and such supervisors, authorities, and townships are hereby relieved from all duty and responsibility in and about the care, maintenance, and repair of all roads improved under this act and of former acts and becoming county roads; and all other public roads shall continue under the control of the proper local authorities, and shall be opened, repaired, and maintained under the laws now in force in the respective townships of the several counties of this Commonwealth. The true intent and meaning of the said acts of Assembly shall be that, upon the decree*

Roads and highways decreed by court to be county roads.

Powers and duties of counties.

Officials relieved of obligation.

Intent and meaning of acts.

or order making an existing township road or part thereof a county road, the same shall immediately be kept in repair, made, constructed, and maintained by the county, and the township relieved of any duty there-to as a township road.

APPROVED—The 16th day of May, A. D. 1921.

WM. C. SPROUL.

No. 274.

AN ACT

To amend section fifteen of an act, entitled "An act relating to fires and fire prevention; imposing duties, and conferring powers heretofore exercised by the State Fire Marshal, upon the Department of State Police; authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said department, and defining their powers and duties; providing for the investigation of the cause, origin, and circumstance of fires, and the inspection of all and the removal or change of certain buildings; imposing duties on school authorities, and on certain corporations, associations, and fire rating agencies; providing for the attendance of witnesses before the department, and the enforcement of its orders; and prescribing penalties," approved the first day of July, Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws, seven hundred and ten).

Fire marshals.

Section 1. Be it enacted, &c., That section fifteen of an act, entitled "An act relating to fires and fire prevention; imposing duties, and conferring powers heretofore exercised by the State Fire Marshal, upon the Department of State Police; authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said department, and defining their powers and duties; providing for the investigation of the cause, origin, and circumstances of fires, and the inspection of all and the removal or change of certain buildings; imposing duties on school authorities, and on certain corporations, associations, and fire rating agencies; providing for the attendance of witnesses before the department, and the enforcement of its orders; and prescribing penalties," approved the first day of July, Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws, seven hundred and ten), which reads as follows:—

Section 15, act of July 1, 1919 (P. L. 710), cited for amendment.

"Section 15. This act shall not be construed to repeal an act of the General Assembly, entitled 'An act to provide for the appointment of a fire marshal for Allegheny County,' approved the eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four (Pamphlet Laws, four hundred and sixty-five). *It is further hereby declared to be the true intent and meaning of this act that the same shall not apply or be operative in any city or county of this Common-*